

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

D. A., A.A., and Lucinda del Carmen)	
Padilla-Gonzales,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 20-cv-3082
)	
The United States of America,)	
Heartland Alliance for Human Needs)	
and Human Rights, and Heartland)	
Human Care Services, Inc.,)	
)	
Defendants.)	Hon. Martha M. Pacold

JOINT STATUS REPORT

Plaintiffs, D.A., A.A., and Lucinda del Carmen Padilla-Gonzales, through their counsel, Defendant United States of America, through its counsel, and Defendants Heartland Alliance for Human Needs and Human Rights and Heartland Human Care Services, Inc., through their counsel, hereby submit the following joint status report:

1. On July 21, 2021, the Court ordered that its stay issued on May 19, 2021 “shall remain in place for the time being.” Dkt. 53. The Court ordered the parties to submit a joint status report by September 17 to update the Court on the status of settlement negotiations and to report any requested extensions or modifications of the stay. *Id.*

2. Since that order, Plaintiffs and the United States have made meaningful progress towards settlement and have met at least 12 times to further

settlement efforts. Plaintiffs' counsel and the United States, along with a group of counsel who are coordinating negotiations on behalf of plaintiffs and claimants, are engaged in a nationwide effort to settle district court cases and pending administrative tort claims arising from family separations at the U.S./Mexico border that occurred during the prior administration. While progress has been made, due to the scale and complexity of the effort, additional time is needed to achieve a resolution of these matters.

3. Accordingly, Plaintiffs and the United States jointly request that the stay entered as to Plaintiffs' claims against the United States should be extended by another 60 days—up to and including November 16, 2021.

4. With respect to the Heartland Defendants, Plaintiffs and the Heartland Defendants jointly request that the Court make a referral to Magistrate Judge Cox, the magistrate judge assigned to this case, for the purposes of holding a settlement conference as to Plaintiffs' claims against the Heartland Defendants.

5. Since the stay was entered, counsel for Plaintiffs and the Heartland Defendants engaged in further settlement discussions but were not successful in achieving resolution of those claims. The Heartland Defendants proposed that the matter be referred to Magistrate Judge Cox for further mediation. Plaintiffs considered this proposal and agreed to attempt to resolve their claims against the Heartland Defendants via mediation before a magistrate judge.

6. Accordingly, the parties agree that a referral to Magistrate Judge Cox to hold a settlement conference¹ with Plaintiffs and the Heartland Defendants would be beneficial at this time.

[SIGNATURES ON FOLLOWING PAGE]

¹ Plaintiffs currently live in North Carolina. Because of concerns related to the pandemic and health of Plaintiffs, as well as Plaintiffs' school and work schedules, Plaintiffs will need to attend any settlement conference remotely.

Respectfully submitted,

/s/ Sarah Grady

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CERTIFICATE OF SERVICE

I, Sarah Grady, an attorney, hereby certify that on September 17, 2021, I caused a copy of the foregoing to be filed using the Court's CM/ECF system, which effected service on all counsel of record.

/s/ Sarah Grady
Sarah Grady
Attorney for Plaintiffs